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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/078,168

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Kazuhiko Satoh

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EXAMINER

DOAN, PHUOC HUU

ART UNIT

PAPER NUMBER

2684

7

DATE MAILED: 05/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/078,168

Applicant(s)

SATOH, KAZUHIKO

Examiner

Phuoc H Doan

Art Unit

2864

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 12-19 is/are rejected.
- 7) ☒ Claim(s) 10 and 11 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1-3 are rejected under 35 U.S.C. 102(b) as being anticipated by Sasaki et al (US 5,511,045).

As to claim 1, Sasaki et al teach a sport information monitoring system using a wireless interconnecting device 30 (Fig.2) comprising: an individual information obtaining device 50 which is worn by an athlete, for obtaining individual information on the athlete; a plurality of wireless interconnecting devices 30 for wirelessly interconnecting the individual information obtained by said individual information obtaining device 50; an administrative server 11 (Fig.1) for storing the individual information obtained by said individual information obtaining device via said plural wireless interconnecting devices; and an administrative computer 12 for judging an activity condition of the athlete based on the individual information stored in said administrative server. See (col. 6, lines 66-67, and col. 7, lines 1-4).

As to claim 2, Sasaki et al teach a sport information monitoring system using a wireless interconnecting device according to claim 1, further comprising: a data

processing section 12 (col.5, lines 58-67) for receiving and processing a signal transmitted from said individual information obtaining device.

As to claim 3, Sasaki et al teach a sport information monitoring system using a wireless interconnecting device according to claim 2, further comprising: a terminal equipment 40 (col. 5, lines 21-28) provided with a transmitting function of transmitting the individual information from said individual information obtaining device, which is received and processed by said data processing section, to said wireless interconnecting devices.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al in view of Jacobsen et al (US 6,198,394).

As to claim 4, Sasaki et al fail to teach a sensor for obtaining physiological information on the athlete and provided with a transmitting function of transmitting corresponding data to an external part. Jacobsen et al teach a sensor for obtaining physiological information on the athlete and provided with a transmitting function of transmitting corresponding data to an external part (col. 6, lines 21-44). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was

made to provide the sensor of Jacobsen et al to the system of Sasaki et al in order to monitor their vital signs and independently determine when certain physiological condition are present which require either corrective non-medical action, such as withdrawal from extreme environments, and/or medical treatment, as suggested by Jacobsen et al (col. 2, lines 25-39).

Claims 5-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al in view of Jacobsen et al as applied to claim 4 above, and further in view of DeLuca et al (US 6,440,067).

As to claim 5, Sasaki et al fails to teach that said plural wireless interconnecting devices are realized by wireless access points installed in a plurality of places to constitute a wireless LAN. DeLuca et al teach that plural wireless interconnecting devices are realized by wireless access points installed in a plurality of places to constitute a wireless LAN (col. 6, lines 46-52). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the wireless LAN of DeLuca to the system of Sasaki et al in order to expand system's coverage.

As to claim 6, Sasaki et al as modified teach that the individual information obtained by said individual information obtaining device is transmitted to said administrative server by packet transfer through the wireless LAN (see IEEE 802.11, col. 7, lines 5-15 of DeLuca).

As to claim 7, Sasaki et al as modified teach that the individual information includes data on blood pressure and heartbeat (col. 3, lines 35-55 of Jacobsen et al) .

As to claim 8, Sasaki et al as modified teach that the individual information is made to correspond to a registration number of the athlete (col. 7, lines 16-19 of Sasaki et al).

As to claim 9, Sasaki et al as modified teach that said administrative computer judges existence and nonexistence of abnormality based on comparison of a reference value set for each individual with the data on blood pressure and heartbeat of each individual stored in said administrative server (col. 3, lines 35-55 of Jacobsen).

Claim 12-13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al in view of DeLuca et al.

As to claim 12, Sasaki et al teach a wireless interconnecting device 30 (fig. 2) used for a sport information monitoring system for obtaining and monitoring individual information on each participant in a sport (col. 5, lines 30-38). Sasaki et al fail to teach that the wireless interconnecting device is realized by a wireless access point to be an element constituting a wireless LAN. DeLuca et al teach that the wireless interconnecting device is realized by a wireless access point to be an element constituting a wireless LAN (col. 6, lines 46-58). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the wireless LAN of DeLuca et al to the system of Sasaki et al in order to expand system's coverage.

As to claim 13, Sasaki et al teach a wireless interconnecting device for a sport information monitoring system according to claim 12, wherein the wireless

interconnecting device for a sport information monitoring system is installed in plurality (Fig.3). DeLuca et al teach that packet transfer by the plural wireless interconnecting devices for the sport information monitoring system enables individual information to be transmitted to a wireless interconnecting device for the sport information monitoring system connected to an administrative server (col. 7, lines 5-15).

As to claim16, Sasaki et al teach an individual information obtaining device used for a sport information monitoring system for obtaining and monitoring individual information on each participant in a sport, Sasaki et al fail to teach that sensors for obtaining physiological information of the participant. DeLuca et al teaches that sensors for obtaining physiological information of the participant (col. 5, lines 59-63). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the sensor of Jacobsen et al to the system of Sasaki et al in order to monitor their vital signs and independently determine when certain physiological condition are present which require either corrective non-medical action, such as withdrawal from extreme environments, and/or medical treatment.

Claims 14-15, and 17-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al in view of DeLuca et al as applied to claim13 above, and further in view of Jacobsen et al.

As to claim 14, Sasaki et al as to modified fail to teach that the individual information includes data on heartbeat and blood pressure, Jacobsen et al teach that the individual information includes data on heartbeat and blood pressure (col. 3, lines

35-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the heartbeat and blood pressure data to the system of Sasaki et al in order to monitor health conditions of the athlete.

As to claim 15, Sasaki et al as modified teach that the individual information is made to correspond to a registration number of the athlete (col. 7, lines 16-19 of Sasaki et al).

As to claim 17, Sasaki et al as to modified fail to teach said sensors are a heartbeat sensor and a blood pressure sensor. Jacobsen et al teach that said sensors are a heartbeat sensor and a blood pressure sensor (col. 3, lines 35-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the heartbeat and blood pressure sensor to the system of Sasaki et al in order to monitor health conditions of the athlete.

As to claim 18, Sasaki et al as to modified fail to teach that data on heartbeat and blood pressure are made to correspond to a registration number of the participant to form the individual information. Jacobsen et al teach that data on heartbeat and blood pressure are made to correspond to a registration number of the participant to form the individual information (col. 3, lines 35-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the heartbeat and blood pressure data to the system of Sasaki et al in order to prevent heart attack from athletes who have high heartbeat and blood pressure.

As to claim 19, Sasaki et al as to modified fail to teach that a transmitter for transmitting detected signals of the heartbeat sensor and the blood pressure sensor to

an external part. Jacobsen et al teach that a transmitter for transmitting detected signals of the heartbeat sensor and the blood pressure sensor to an external part. (col.3, lines 35-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the heartbeat and blood pressure sensor to the system of Sasaki et al in order to prevent heart attack from athletes who have high heartbeat and blood pressure.

Allowable Subject Matter

Claims 10-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As to claim 10, the prior art of record fail to teach that when it is judged that the abnormality exists at least in either one of the heartbeat or the blood pressure, said administrative computer transmits information to that effect via said wireless interconnecting device connected to said administrative computer to other ones of said wireless interconnecting devices.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuoc H Doan whose telephone number is 703-305-6311. The examiner can normally be reached on 9:30-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Maung A Nay can be reached on 703-308-7745. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Phuoc Doan

04/29/04


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